

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

PERRY PROCTOR,

Plaintiff,

:

Case No. 3:03-cv-176

- vs -

:

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

COMMISSIONER OF SOCIAL
SECURITY,

:

:

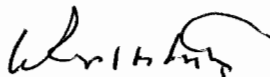
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #16), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, Plaintiff's motion for the award of Attorney Fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 is DENIED.

Receivd
November 1, 2008



Walter Herbert Rice
United States District Judge